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PTO/SB/21 (08-03)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/082,443
	Filing Date	February 22, 2002
	First Named Inventor	Mark R. ALVIS
	Art Unit	1614
	Examiner Name	A. Mohamed
	Attorney Docket Number	437252001200
Total Number of Pages in This Submission	11	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Communication (2 pages) 2. Duplicate of Information Disclosure Statement and PTO-1449 as filed May 9, 2002 (8 pages) 3. Return Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Kimberly A. Bolin - 44,546
Signature	
Date	March 1, 2004

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(Mae Pattison)

Docket No.: 437252001200  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mark R. ALVIS et al.

Application No.: 10/082,443

Confirmation No.: 6302

Filed: February 22, 2002

Art Unit: 1614

For: METHODS AND COMPOSITIONS FOR  
IMPROVED ARTICULAR SURGERY USING  
COLLAGEN

Examiner: A. Mohamed

**COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the voice mail message received from Examiner Abdel Mohamed, on February 25, 2004, we are submitting herewith a duplicate copy of the entire Information Disclosure Statement (IDS) and PTO-1449 as filed with the U.S. Patent and Trademark Office on May 13, 2002. Examiner Mohamed indicated to the Applicant that the IDS, PTO-1449 and references were received by the Office, with the exception of page 4 of the PTO-1449. Should the Examiner determine that any other of the materials submitted with the IDS are missing, duplicate copies will be provided upon request.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 437252001200.

Dated: March 1, 2004

Respectfully submitted,

By 

Kimberly A. Bolin

Registration No.: 44,546

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-5740



PATENT  
Docket No. 437252001200

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on May 9, 2002.

*Barbara M. Weatherly*  
Barbara M. Weatherly

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Mark R. ALVIS et al.

Serial No.: 10/082,443

Filing Date: February 22, 2002

For: METHODS AND COMPOSITIONS FOR  
IMPROVED ARTICULAR SURGERY  
USING COLLAGEN

Examiner: To Be Assigned

Group Art Unit: 1614

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

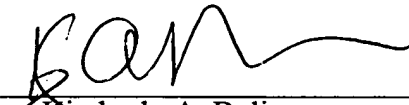
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **437252001200**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 9, 2002

Respectfully submitted,

By:

  
\_\_\_\_\_  
Kimberly A. Bolin  
Registration No. 44, 546

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5740  
Facsimile: (650) 494-0792

Form PTO-1449

Docket Number 437252001200

Application Number 10/082,443

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Mark R. ALVIS et al.

Filing Date: February 22, 2002

Group Art Unit: 1614

Mailing Date: May 9, 2002

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	04/06/1976	3,949,073	Daniels et al.			
	2.	06/29/1976	3,966,908	Balassa			
	3.	02/20/1979	4,140,537	Luck et al.			
	4.	11/11/1980	4,233,360	Luck et al.			
	5.	02/10/1981	4,250,139	Luck et al.			
	6.	07/05/1983	4,391,749	Engvall et al.			
	7.	01/03/1984	4,424,208	Wallace et al.			
	8.	09/25/1984	4,473,551	Schinitzky			
	9.	04/15/1986	4,582,640	Smestad et al.			
	10.	10/27/1987	4,703,108	Silver et al.			
	11.	11/03/1987	4,704,273	McMichael			
	12.	07/26/1988	4,760,131	Sundsmo et al.			
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	22.	12/26/2000	6,165,983	Klaus			
	23.	11/13/2001	6,316,015 B1	Rondelez et al.			
	24.	11/13/2001	6,316,033 B1	Lin			
	25.	11/27/2001	6,322,592 B2	Lucas et al.			

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26.	12/06/2001	Application No. 20010049366	Singh et al.			
27.	01/10/2002	Application No. 20020004499	Rudnic et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO	
	28.	10/25/1989	EP 338813	EPO				
	29.	11/1981	SU 880426	Russia			X (Abstract)	

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	30.	Altman, R. D. (1992) "Laboratory Findings in Osteoarthritis" Chapter 12 In <u>Osteoarthritis: Diagnosis and Medical/Surgical Management</u> , Moskowitz, Howell, Goldberg and Mankin, Eds., WB Saunders Co., Harcourt Brace Jovanovich, pp. 313-328.
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	32.	Batyrov, T.U. et al. (March-April 1982). "Experimental Study of the Local Anesthetic Action of Trimecaine Prolonged with Collagen," <i>Stomatologiya</i> 61(2): 7-10. (English Abstract).
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	34.	Brahn, E. (April 1991). "Animal Models of Rheumatoid Arthritis: Clues to Etiology and Treatment," <i>Clin. Orthop. and Related Research</i> . 265:42-53.
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